REMARKS/DISCUSSION OF ISSUES

Claim Summary

By this Amendment, claim 10 has been canceled, without prejudice and without disclaimer of the subject matter. Claims 1-4 and 7-9 have been amended to correct informalities in the claim language and to more clearly define the invention. Claims 11-18 have been submitted for the Examiner's consideration.

Claims 1-9 and 11-18 are pending in the application. Applicant respectfully submits that all pending claims are in condition for allowance.

35 U.S.C. § 101 Rejection - Claim 10

The Office Action of March 19, 2008, rejects claim 10 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. *See* Office Action, p. 2.

Although Applicant does not acquiesce to the propriety of the rejection or to the Examiner's reasoning regarding the same, Applicant has canceled claim 10 in order to expedite prosecution and to obtain early allowance of the pending claims. Accordingly, Applicant submits that the rejection under 35 U.S.C. § 101 is moot, and thus should be withdrawn.

35 U.S.C. § 103 Rejection - Claims 1-6, 8 and 9

The Office Action of March 19, 2008, rejects claims 1-6, 8 and 9 and 13 under 35 U.S.C. § 103(a) as being unpatentable over DEDIEU et al. Applicant respectfully traverses the rejection for at least the reasons set forth below.

As stated in MPEP § 2143, in order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Without conceding the propriety of the Examiner's

representation of what is known in the art, Applicant respectfully submits that the rejection is improper for failing to meet the ultimate requirement of § 2143.

Applicant's silence on certain aspects of the rejection is by no means a concession as to their propriety. Rather, because the applied art fails to disclose at least one feature of the claims, for at least the reasons discussed below, Applicant respectfully submits that the rejection is improper and should be withdrawn.

Claim 1

Independent claim 1 recites, in part:

" … reception means for managing at least one narrow-band noise signal located around a noise frequency, the reception means comprising a plurality of parallel baseband conversion means defining a plurality of reception channels for converting the spectrum of the received signal into a corresponding plurality of reception bands having a plurality of reception frequencies, close to the baseband, the spectrums of the reception bands being shifted relative to one another so that the narrow-band noise signal is superimposed on each shifted spectrum at different points relative to the spectrum …."

DEDIEU et al. does not teach or suggest at least these features. The Office Action asserts that the plurality of reception bands is disclosed by the I path and the Q path shown in FIG. 1, and that the spectrums shifted relative to one another are disclosed by the phase shift device IQPLL. *See* Office Action, p. 4. However, the phase shift device IQPLL provides quadrature phase shifted signals, i.e., 0 and 180 degrees to mixer MXA and corresponding phase quadrature signals to mixer MXB. *See, e.g.,* col. 5, lines 43-51. Therefore, the "plurality of reception bands," allegedly disclosed by the I and Q paths of DEDIEU et al., do not correspond to a "plurality of reception frequencies," as recited in claim 8. Rather, it appears that the I and Q paths correspond to different phases of the same frequency.

Accordingly, for at least the reasons stated above, Applicant respectfully submits that claim 1 is allowable, and request withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a).

Claim 8

Independent claim 8 recites, in part:

" … managing at least one narrow-band noise signal located around a noise frequency, the managing comprising defining a plurality of reception channels for converting the spectrum of the received signal in reception bands, corresponding to a plurality of reception frequencies close to the baseband and shifted with respect to one another so that, on each reception band, the narrow-band noise signal is superimposed on the corresponding shifted spectrum at different points relative to said spectrum …."

DEDIEU et al. does not teach or suggest at least these features. The Office Action asserts that the plurality of reception bands is disclosed by the I path and the Q path shown in FIG. 1, and that the spectrums shifted relative to one another are disclosed by the phase shift device IQPLL. *See* Office Action, p. 4. However, the phase shift device IQPLL provides quadrature phase shifted signals, i.e., 0 and 180 degrees to mixer MXA and corresponding phase quadrature signals to mixer MXB. *See, e.g.,* col. 5, lines 43-51. Therefore, the "plurality of reception bands," allegedly disclosed by the I and Q paths of DEDIEU et al., do not correspond to a "plurality of reception frequencies," as recited in claim 8. Rather, it appears that the I and Q paths correspond to different phases of the same frequency.

Accordingly, for at least the reasons stated above, Applicant respectfully submits that claim 8 is allowable, and request withdrawal of the rejection of claim 8 under 35 U.S.C. § 103(a).

Claims 2-7 and 9

Applicant asserts that claims 2-7 and 9 are allowable at least because they depend, directly or indirectly from independent claims 1 and 8, respectively, which Applicant submits have been shown to be allowable, as well as in view of their additional recitations.

New Claims 11-18

Claim 11

Independent claim 11 recites, in part:

" ... a first reception channel comprising a first mixer for converting the received signal into a first converted signal having a first spectrum in a first frequency band centered on a first frequency; and a second reception channel comprising a second mixer for converting the received signal into a second converted signal having second spectrum in a second frequency band centered on a second frequency; wherein the first frequency comprises a reference frequency plus a predetermined frequency shift and the second predetermined frequency comprises the reference frequency minus the predetermined frequency shift, and wherein the narrow-band noise is at a different point in the first spectrum than in the second spectrum, relatively."

DEDIEU et al. does not teach or suggest at least these features. For example, DEDIEU et al. does not show first and second reception channels have first and second frequency bands centered on corresponding first and second frequencies. As stated above, the different path disclosed by DEDIEU et al. (the I and Q paths) have different phases (i.e., quadrature phases), not frequencies. Accordingly, at least for this reason, Applicant respectfully submits that claim 11 is in condition for allowance.

Claims 12-18

Applicant asserts that claims 12-18 are allowable at least because they depend, directly or indirectly from independent claim 11, which Applicant submits has been shown to be allowable, as well as in view of their additional recitations.

For example, claim 12 recites that each of the first converted signal (from the first mixer) and the second converted signal (from the second mixer) comprises a complex quadrature signal. In other words, the first and second converted signals include I and Q phases. In contrast, FIG. 1 of DEDIEU et al. shows the signal from the first mixer (e.g., MXA) has only in-phase (I) components and the signal from the

second mixer (e.g., MXB) has only quadrature-phase (Q) components. Therefore, the signals from each of the respective mixers are not complex quadrature signals.

CONCLUSION

No other issues remaining, reconsideration and favorable action upon the claims 1-9 and 11-18 now pending in the application are requested.

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted on behalf of:
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